

State of Arizona
Senate
Forty-eighth Legislature
Second Regular Session
2008

SB 1457

Introduced by
Senator Gould; Representative Groe

AN ACT

AMENDING SECTION 41-1231, ARIZONA REVISED STATUTES; AMENDING TITLE 41, CHAPTER 7, ARTICLE 8.1, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-1231.01; AMENDING SECTIONS 41-1232.02 AND 41-1232.03, ARIZONA REVISED STATUTES; RELATING TO REGULATION OF LOBBYISTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 41-1231, Arizona Revised Statutes, is amended to
3 read:

4 41-1231. Definitions

5 In this article, unless the context otherwise requires:

6 1. "Authorized lobbyist" means any person, other than a designated
7 lobbyist or lobbyist for compensation, who is employed by, retained by or
8 representing a principal with or without compensation for the purpose of
9 lobbying and who is listed as an authorized lobbyist by the principal in its
10 registration pursuant to section 41-1232.

11 2. "Authorized public lobbyist" means a person, other than a
12 designated public lobbyist, who is employed by, retained by or representing a
13 public body, with or without compensation, for the purpose of lobbying and
14 who is listed as an authorized public lobbyist by the public body in its
15 registration pursuant to section 41-1232.01.

16 3. "Designated lobbyist" means the person who is designated by a
17 principal as the single point of contact for the principal and who is listed
18 as the designated lobbyist by the principal in its registration pursuant to
19 section 41-1232.

20 4. "Designated public lobbyist" means the person who is designated by
21 a public body as the single point of contact for the public body and who is
22 listed as the designated public lobbyist by the public body in its
23 registration pursuant to section 41-1232.01.

24 5. "Entertainment" means the amount of any expenditure paid or
25 incurred for admission to any sporting or cultural event or for participation
26 in any sporting or cultural activity.

27 6. "Expenditure" means a payment, distribution, loan, advance, deposit
28 or gift of money or anything of value and includes a contract, promise or
29 agreement, whether or not legally enforceable, to make an expenditure that
30 provides a benefit to an individual state officer or state employee and that
31 is incurred by or on behalf of one or more principals, public bodies,
32 lobbyists, designated public lobbyists or authorized public lobbyists.

33 7. "Family gift" means a gift, ~~to a state officer or employee or a~~
34 ~~member of the officer's or employee's household from a principal, lobbyist,~~
35 ~~designated public lobbyist or authorized public lobbyist who is a relative of~~
36 ~~the state officer or employee or a member of the household of the state~~
37 ~~officer or employee if the donor is not acting as the agent or intermediary~~
38 ~~for someone other than a person covered by this paragraph~~ DEVISE OR
39 INHERITANCE FROM A STATE OFFICER'S OR EMPLOYEE'S SPOUSE, CHILD, PARENT,
40 GRANDPARENT, GRANDCHILD, BROTHER, SISTER, PARENT-IN-LAW, BROTHER-IN-LAW,
41 SISTER-IN-LAW, NEPHEW, NIECE, AUNT OR UNCLE OR THE SPOUSE OF THAT INDIVIDUAL
42 OR A MEMBER OF THE HOUSEHOLD OF THE STATE OFFICER OR EMPLOYEE IF THE DONOR IS
43 NOT ACTING AS THE AGENT OR INTERMEDIARY FOR A PERSON OTHER THAN A PERSON
44 COVERED BY THIS PARAGRAPH.

1 ~~8. "Food or beverage" means the amount of any expenditure paid or~~
2 ~~incurred for food or beverages for a state officer or employee provided at a~~
3 ~~location at which the principal, public body, lobbyist, designated public~~
4 ~~lobbyist or authorized public lobbyist who made the expenditure is present.~~

5 ~~9.~~ 8. "Gift" means a payment, distribution, expenditure, advance,
6 deposit or donation of money, ENTERTAINMENT, any intangible personal property
7 or any kind of tangible personal or real property. ~~For purposes of this~~
8 ~~article gift does not include:~~

9 ~~(a) A gift, devise or inheritance from an individual's spouse, child,~~
10 ~~parent, grandparent, grandchild, brother, sister, parent-in-law,~~
11 ~~brother-in-law, sister-in-law, nephew, niece, aunt, uncle or first cousin or~~
12 ~~the spouse of any such individual if the donor is not acting as the agent or~~
13 ~~intermediary for someone other than a person covered by this subdivision.~~

14 ~~(b) Expenditures which are either properly reported or exempt from~~
15 ~~reporting under this chapter for:~~

16 ~~(i) A speaking engagement.~~

17 ~~(ii) Food or beverages.~~

18 ~~(iii) Travel and lodging.~~

19 ~~(iv) Flowers.~~

20 ~~(c) Salary, compensation or employer reimbursed expenses lawfully paid~~
21 ~~to a public official.~~

22 ~~(d) The value, cost or price of professional or consulting services~~
23 ~~that are not rendered to obtain a benefit for any registered principal,~~
24 ~~public body, lobbyist, designated public lobbyist or authorized public~~
25 ~~lobbyist or the clients of a principal or lobbyist.~~

26 ~~(e) Expenses relating to a special event or function to which all~~
27 ~~members of the legislature, either house of the legislature or any committee~~
28 ~~of the legislature are invited.~~

29 ~~(f) A plaque or other form of recognition similar to a plaque to a~~
30 ~~state officer or state employee to signify the honorary recognition of a~~
31 ~~service or other notable accomplishment.~~

32 ~~(g) Informational material such as books, reports, pamphlets,~~
33 ~~calendars or periodicals.~~

34 ~~(h) An item that is not used and that is returned within fifteen days~~
35 ~~of receipt to the donor or that is delivered within fifteen days of receipt~~
36 ~~to a charitable organization and that is not claimed as a charitable~~
37 ~~contribution for state or federal income tax purposes.~~

38 ~~(i) A campaign contribution that is properly received and reported as~~
39 ~~required by law.~~

40 ~~(j) An item that is given to a state officer or employee if the state~~
41 ~~officer or employee gives an item of approximately the same value to the~~
42 ~~giver of the item at the same time that the item is given or on a similar~~
43 ~~occasion as the one that prompted the original item to be given.~~

1 ~~(k) Gifts of a personal nature that were customarily received by an~~
2 ~~individual from the donor before the individual became a state officer or~~
3 ~~employee.~~

4 ~~(l) An item that is given to the general public at an event.~~

5 ~~10.~~ 9. "Legislation" means bills, resolutions, memorials, amendments,
6 nominations and other matters that are pending or proposed in either house of
7 the legislature of this state or for the purposes of bonding lobbying for any
8 matter pending or proposed before a school district governing board.

9 ~~11.~~ 10. "Lobbying" means attempting to influence the passage or defeat
10 of any legislation by directly communicating with any legislator, or in the
11 case of bonding, lobbyists directly communicating with any school district
12 employee or a school district governing board member or attempting to
13 influence any formal rule making proceeding pursuant to chapter 6 of this
14 title or rule making proceedings that are exempt from chapter 6 of this title
15 by directly communicating with any state officer or employee. Lobbying does
16 not include:

17 (a) Interagency communications between state agency employees.

18 (b) Communications between a public official or employee of a public
19 body, designated public lobbyist or authorized public lobbyist and any state
20 officer, except for a member of the legislature, or an employee of the
21 legislature.

22 (c) Oral questions or comments made by a person to a state officer or
23 employee regarding a proposed rule and made in public at a meeting or
24 workshop that is open to the public and that is sponsored by a state agency,
25 board, commission, council or office.

26 ~~12.~~ 11. "Lobbyist" means any person, other than a designated public
27 lobbyist or authorized public lobbyist, who is employed by, retained by or
28 representing a person other than himself, with or without compensation, for
29 the purpose of lobbying and who is listed as a lobbyist by the principal in
30 its registration pursuant to section 41-1232. Lobbyist includes a lobbyist
31 for compensation, designated lobbyist and authorized lobbyist. Lobbyist
32 includes attorneys whose practice involves bonding, underwriters of bonds and
33 investment bankers whose business includes bonding.

34 ~~13.~~ 12. "Lobbyist for compensation" means a lobbyist who is
35 compensated for the primary purpose of lobbying on behalf of a principal and
36 who is listed by the principal in its registration pursuant to section
37 41-1232.

38 ~~14.~~ 13. "Person" means an individual, partnership, committee,
39 association or corporation and any other organization or group of persons,
40 except legislators and political parties qualified for representation on the
41 ballot pursuant to section 16-801 or 16-804.

42 ~~15.~~ 14. "Personal hospitality" means hospitality, meals, beverages,
43 transportation or lodging furnished but not commercially provided by a person
44 on property or facilities owned or possessed by the person or the person's
45 family.

1 ~~16.~~ 15. "Principal" means any person, other than a public body, that
2 employs, retains, engages or uses, with or without compensation, a lobbyist.
3 Principal includes any subsidiary of a corporation.

4 ~~17.~~ 16. "Public body" means the Arizona board of regents, a university
5 under the jurisdiction of the Arizona board of regents, the judicial
6 department, any state agency, board, commission or council, any county, any
7 county elected officer who elects to appoint a designated public lobbyist or
8 any city, town, district or other political subdivision of this state that
9 receives and ~~utilizes~~ USES tax revenues and that employs, retains, engages or
10 uses, with or without compensation, a designated public lobbyist or
11 authorized public lobbyist.

12 ~~18.~~ 17. "Public official" means a person who is duly elected,
13 appointed or retained through election to an elected state, county or local
14 office.

15 ~~19.~~ 18. "Single expenditure" means an expenditure that provides a
16 benefit of more than twenty dollars to an individual state officer or state
17 employee and that is incurred JOINTLY OR INDIVIDUALLY by or on behalf of one
18 or more principals, public bodies, lobbyists, designated public lobbyists or
19 authorized public lobbyists.

20 ~~20. "Speaking engagement":~~

21 ~~(a) Means the amount of any expense paid or incurred for entrance~~
22 ~~fees, lodging, food and beverage, entertainment, travel and other expenses~~
23 ~~for the state officer's or employee's attendance at an event, committee,~~
24 ~~meeting, conference or seminar, including meetings of state, regional or~~
25 ~~national organizations or their committees concerned with legislative or~~
26 ~~governmental activities if the state officer or employee participates in the~~
27 ~~event as a speaker or panel participant by presenting information relating to~~
28 ~~the state officer's or employee's legislative or official duties or by~~
29 ~~performing a ceremonial function appropriate to the state officer's or~~
30 ~~employee's position.~~

31 ~~(b) Does not include expenditures for an honorarium or any other~~
32 ~~similar fee paid to a speaker.~~

33 ~~21.~~ 19. "State employee" means an employee of the legislature, a
34 university under the jurisdiction of the Arizona board of regents, the
35 judicial department or a state office, agency, board, commission or council.

36 ~~22.~~ 20. "State officer" means a person who is duly elected, appointed
37 or retained through election to any state office, or a member of any state
38 board, commission or council, and includes a member of the legislature.

39 Sec. 2. Title 41, chapter 7, article 8.1, Arizona Revised Statutes, is
40 amended by adding section 41-1231.01, to read:

41 41-1231.01. Gift ban; principals and lobbyists; exemptions

42 A. A PRINCIPAL OR LOBBYIST OR ANY OTHER PERSON ACTING ON BEHALF OF A
43 PRINCIPAL OR LOBBYIST SHALL NOT GIVE A GIFT TO ANY STATE OFFICER OR STATE
44 EMPLOYEE AND A STATE OFFICER OR STATE EMPLOYEE SHALL NOT ACCEPT A GIFT FROM A
45 PRINCIPAL OR LOBBYIST.

1 B. A PUBLIC BODY, DESIGNATED PUBLIC LOBBYIST OR AUTHORIZED PUBLIC
2 LOBBYIST OR ANY OTHER PERSON ACTING ON BEHALF OF A PUBLIC BODY, DESIGNATED
3 PUBLIC LOBBYIST OR AUTHORIZED PUBLIC LOBBYIST SHALL NOT GIVE A GIFT TO ANY
4 MEMBER OR EMPLOYEE OF THE LEGISLATURE AND A MEMBER OR EMPLOYEE OF THE
5 LEGISLATURE SHALL NOT ACCEPT A GIFT FROM A PUBLIC BODY, DESIGNATED PUBLIC
6 LOBBYIST OR AUTHORIZED PUBLIC LOBBYIST OR ANY OTHER PERSON ACTING ON THEIR
7 BEHALF. THIS SUBSECTION DOES NOT APPLY TO GIFTS GIVEN BY A PUBLIC BODY,
8 DESIGNATED PUBLIC LOBBYIST OR AUTHORIZED PUBLIC LOBBYIST TO AN EMPLOYEE OF A
9 PUBLIC BODY, IF THE EMPLOYEE IS NOT A PUBLIC OFFICIAL OR A MEMBER OF THE
10 HOUSEHOLD OF A PUBLIC OFFICIAL OR IF THE GIFT IS ACCEPTED ON BEHALF OF THE
11 PUBLIC BODY AND REMAINS THE PROPERTY OF THE PUBLIC BODY.

12 C. FOR THE PURPOSES OF THIS ARTICLE, A GIFT DOES NOT INCLUDE ANY OF
13 THE FOLLOWING:

14 1. SALARY, COMPENSATION OR EMPLOYER REIMBURSED EXPENSES LAWFULLY PAID
15 TO A STATE OFFICER OR EMPLOYEE.

16 2. A FAMILY GIFT.

17 3. AN AWARD OR PRIZE THAT IS GIVEN TO COMPETITORS IN A CONTEST OR
18 EVENT THAT IS OPEN TO THE PUBLIC, INCLUDING A RANDOM DRAWING.

19 4. A CAMPAIGN CONTRIBUTION THAT IS PROPERLY RECEIVED AND REPORTED BY
20 THE STATE OFFICER AS REQUIRED BY LAW.

21 5. ANY DISCOUNT OR OTHER BENEFIT THAT IS OFFERED TO A STATE OFFICER OR
22 EMPLOYEE ON THE SAME CONDITIONS AS OFFERED TO THE PUBLIC, TO A CLASS
23 CONSISTING OF ALL STATE OFFICERS AND EMPLOYEES OR TO A GROUP OR CLASS IN
24 WHICH MEMBERSHIP IS UNRELATED TO BEING A STATE OFFICER OR EMPLOYEE.

25 6. INFORMATIONAL MATERIAL, INCLUDING A BOOK, CALENDAR, PAMPHLET,
26 PERIODICAL, REPORT OR VIDEOTAPE.

27 7. AN ITEM THAT IS NOT USED AND THAT IS RETURNED WITHIN FIFTEEN DAYS
28 OF RECEIPT TO THE DONOR OR THAT IS DELIVERED WITHIN FIFTEEN DAYS OF RECEIPT
29 TO A CHARITABLE ORGANIZATION AND THAT IS NOT CLAIMED AS A CHARITABLE
30 CONTRIBUTION FOR STATE OR FEDERAL INCOME TAX PURPOSES.

31 8. AN ITEM OF A PERSONAL NATURE THAT WAS CUSTOMARILY RECEIVED BY AN
32 INDIVIDUAL FROM THE DONOR BEFORE THE INDIVIDUAL BECAME A STATE OFFICER OR
33 EMPLOYEE.

34 9. AN ITEM THAT IS GIVEN TO THE GENERAL PUBLIC AT AN EVENT.

35 10. AN ITEM OF NOMINAL VALUE SUCH AS A GREETING CARD.

36 11. PERSONAL HOSPITALITY.

37 12. A PLAQUE OR OTHER FORM OF RECOGNITION SIMILAR TO A PLAQUE GIVEN TO
38 A STATE OFFICER OR STATE EMPLOYEE TO SIGNIFY THE HONORARY RECOGNITION OF A
39 SERVICE OR OTHER NOTABLE ACCOMPLISHMENT.

40 13. PROFESSIONAL OR CONSULTING SERVICES THAT ARE RENDERED ON MATTERS
41 DIRECTLY RELATED TO HOLDING PUBLIC OFFICE, BEING A CANDIDATE FOR PUBLIC
42 OFFICE OR BEING A STATE EMPLOYEE AND THAT ARE NOT RENDERED TO OBTAIN A
43 BENEFIT FOR ANY REGISTERED PRINCIPAL, PUBLIC BODY, LOBBYIST, DESIGNATED
44 PUBLIC LOBBYIST OR AUTHORIZED PUBLIC LOBBYIST OR THE CLIENTS OF A PRINCIPAL
45 OR LOBBYIST.

1 is a Saturday, Sunday or other legal holiday. In that case, the report shall
2 be filed the next business day.

3 D. The reports required by subsections A and B of this section shall
4 identify each single expenditure MADE. ~~according to the following~~
5 ~~categories:~~

- 6 ~~1. Food or beverages.~~
- 7 ~~2. Speaking engagement.~~
- 8 ~~3. Travel and lodging.~~
- 9 ~~4. Flowers.~~
- 10 ~~5. Other expenditures.~~

11 E. Expenditures by principals and lobbyists, ~~such as~~ INCLUDING those
12 for the lobbyist's personal sustenance, office expenses, filing fees, legal
13 fees, employees' compensation, lodging and travel, are not required to be
14 reported. In addition, expenditures by a principal or a lobbyist for family
15 gifts, personal hospitality or those items excluded from the definition of
16 gift pursuant to section ~~41-1231, paragraph 9, subdivision (a), (c), (d),~~
17 ~~(f), (g), (h), (i), (j), (k) or (l)~~ 41-1231.01, SUBSECTION C are not required
18 to be reported.

19 ~~F. All expenditures incurred by a principal or lobbyist in the case of~~
20 ~~special events for legislators, including parties, dinners, athletic events,~~
21 ~~entertainment and other functions, to which all members of the legislature,~~
22 ~~either house of the legislature or any committee of the legislature are~~
23 ~~invited shall be reported. Expenditures are not required to be allocated to~~
24 ~~individual legislators, but for each such event a description of the event~~
25 ~~and the date, location, name of the legislative body invited and total~~
26 ~~expenditures incurred shall be reported. Expenditures for special events~~
27 ~~held in conjunction with state, national or regional meetings of an~~
28 ~~organization or association concerned or dealing with legislative or other~~
29 ~~governmental activities to which all state officers or state employees in~~
30 ~~attendance at such event are invited shall be reported in the same manner.~~

31 ~~G.~~ F. All information required to be filed pursuant to this section
32 with the secretary of state shall be filed in that office and preserved by
33 the secretary of state for five years from the date of filing, after which
34 time the information shall be destroyed. The information is a public record
35 and open to public inspection.

36 ~~H.~~ G. If a principal, lobbyist for compensation or designated
37 lobbyist makes no expenditures that it would otherwise be required to report
38 during a specified reporting period, the principal, lobbyist for compensation
39 or designated lobbyist may sign a notarized form prescribed by the secretary
40 of state indicating that there were no expenditures during the specific
41 reporting period.

42 ~~I.~~ H. A person or organization shall not make a gift to or an
43 expenditure on behalf of a state officer or employee through another person
44 or organization for the purpose of disguising the identity of the person
45 making the gift or expenditure.

1 ~~J. A principal or lobbyist or any other person acting on behalf of a~~
2 ~~principal or lobbyist shall not give to any state officer or state employee~~
3 ~~and a state officer or state employee shall not accept from a principal or~~
4 ~~lobbyist either of the following:~~

5 ~~1. Gifts with a total value of more than ten dollars during any~~
6 ~~calendar year.~~

7 ~~2. Gifts that are designed to influence the state officer's or state~~
8 ~~employee's official conduct.~~

9 I. A PRINCIPAL OR LOBBYIST OR ANY OTHER PERSON ACTING ON BEHALF OF A
10 PRINCIPAL OR LOBBYIST SHALL NOT DIVIDE AN EXPENDITURE BETWEEN TWO OR MORE
11 PRINCIPALS, PUBLIC BODIES, LOBBYISTS, DESIGNATED PUBLIC LOBBYISTS OR
12 AUTHORIZED PUBLIC LOBBYISTS FOR THE PURPOSE OF NOT REPORTING THE EXPENDITURE
13 AS A SINGLE EXPENDITURE.

14 Sec. 4. Section 41-1232.03, Arizona Revised Statutes, is amended to
15 read:

16 41-1232.03. Expenditure reporting; public bodies and public
17 lobbyists; gifts

18 A. Each public body shall report annually all single expenditures
19 received by or benefitting a member of the legislature whether or not the
20 expenditures were made in the course of lobbying. These expenditures shall
21 be itemized separately, and each itemization shall include the date of the
22 expenditure, the amount of the expenditure, the name of each member **OR**
23 **EMPLOYEE** of the legislature receiving or benefitting from the expenditure,
24 the category of the expenditure and the name of the designated public
25 lobbyist or authorized public lobbyist who made the expenditure on behalf of
26 the public body. In addition each public body shall report annually the
27 aggregate of all expenditures of twenty dollars or less received by or
28 benefitting a member **OR EMPLOYEE** of the legislature, whether or not the
29 expenditures were made in the course of lobbying. The report shall list all
30 expenditures by the public body made in the course of lobbying for the
31 personal sustenance, filing fee, legal fees, employees' compensation, meals,
32 lodging and travel of the designated public lobbyist and all authorized
33 public lobbyists employed or retained by, and representing, the public
34 body. The public body shall apportion expenditures that are attributable
35 both to lobbying and to other activities of the public body and shall report
36 only the portion attributable to lobbying. For the purpose of reporting
37 employee compensation, a public body, on establishing a time allocation
38 schedule for apportioned lobbying activity based on actual experience under
39 this article, may submit after the 1993 calendar year an affidavit to the
40 secretary of state stating the compensation attributable to lobbying for
41 subsequent years for the designated public lobbyist and all authorized public
42 lobbyists whose job responsibilities have not been significantly altered
43 since the time allocation schedule was established. The report shall be
44 filed by March 1 and shall list the annual expenditures made on behalf of the

1 public body. If March 1 is a Saturday, Sunday or other legal holiday, the
2 report shall be filed on the next business day.

3 B. Each designated public lobbyist shall report quarterly all single
4 expenditures received by or benefitting a member OR EMPLOYEE of the
5 legislature and incurred in the preceding calendar quarter by the designated
6 public lobbyist, whether or not the single expenditures were made in the
7 course of lobbying. Each designated public lobbyist's report shall also
8 include all single expenditures incurred in the preceding calendar quarter by
9 each authorized public lobbyist who is registered pursuant to section
10 41-1232.01 by the same public body that registered the designated public
11 lobbyist. This subsection does not apply to an expenditure that was made by
12 a designated public lobbyist or authorized public lobbyist and that was
13 received by or benefitted an employee of a public body, if the employee is
14 not a member or employee of the legislature or a member of the household of a
15 member or employee of the legislature. These expenditures shall be itemized
16 separately, and each itemization shall include the date of the expenditure,
17 the amount of the expenditure, the name of the member or employee receiving
18 or benefitting from the expenditure, the category of the expenditure and the
19 public body on whose behalf the expenditure was made. If the expenditure was
20 made by the designated public lobbyist or authorized public lobbyist and was
21 not made on behalf of a public body, it shall be itemized separately. The
22 quarterly report shall be filed no later than the last day of the month
23 following the end of the calendar quarter, unless the last day of the month
24 is a Saturday, Sunday or other legal holiday. In that case, the report shall
25 be filed on the next business day.

26 C. Each designated public lobbyist shall also report quarterly the
27 aggregate of all expenditures of twenty dollars or less received by or
28 benefitting a member OR EMPLOYEE of the legislature, whether or not the
29 expenditures were made in the course of lobbying. Each designated public
30 lobbyist's report shall also include the aggregate of all expenditures of
31 twenty dollars or less that were received by or benefitted a member OR
32 EMPLOYEE of the legislature and that were made by an authorized public
33 lobbyist who is registered pursuant to section 41-1232.01 by the same public
34 body that registered the designated public lobbyist. This subsection does
35 not apply to an expenditure that was made by a designated public lobbyist or
36 authorized public lobbyist and that was received by or benefitted an employee
37 of a public body, if the employee is not a member or employee of the
38 legislature or a member of the household of a member or employee of the
39 legislature. The report shall list separately the aggregate of expenditures
40 made on behalf of each public body and the aggregate not made on behalf of
41 any public body. In the fourth calendar quarter, these expenditures shall
42 also be listed by cumulative total for the calendar year. Each quarterly
43 lobbyist report shall include all reportable expenditures made by any
44 employee of the designated public lobbyist or authorized public lobbyist,
45 regardless of whether that employee is listed as a designated public lobbyist

1 or authorized public lobbyist on any registration filed by a public body
2 engaging the designated public lobbyist or authorized public lobbyist. The
3 quarterly report shall be filed no later than the last day of the month
4 following the end of the calendar quarter, unless the last day of the month
5 is a Saturday, Sunday or other legal holiday. In that case, the report shall
6 be filed on the next business day.

7 D. The reports required by subsections A and B of this section shall
8 identify the nature of each single expenditure MADE. ~~according to the~~
9 ~~following categories:~~

- 10 ~~1. Food or beverages.~~
- 11 ~~2. Speaking engagement.~~
- 12 ~~3. Travel and lodging.~~
- 13 ~~4. Flowers.~~
- 14 ~~5. Other expenditures.~~

15 E. Expenditures by a public body, designated public lobbyist or
16 authorized public lobbyist for personal sustenance, family gifts, personal
17 hospitality or those items excluded from the definition of gift pursuant to
18 section ~~41-1231, paragraph 9, subdivision (a), (c), (d), (f), (g), (h), (i),~~
19 ~~(j), (k) or (l)~~ 41-1231.01, SUBSECTION C are not required to be reported.

20 ~~F. All expenditures incurred by a public body, designated public~~
21 ~~lobbyist or authorized public lobbyist in the case of special events for~~
22 ~~legislators, including parties, dinners, athletic events, entertainment and~~
23 ~~other functions, to which all members of the legislature, either house of the~~
24 ~~legislature or any committee of the legislature are invited shall be~~
25 ~~reported. Expenditures are not required to be allocated to individual~~
26 ~~legislators, but for each such event a description of the event and the date,~~
27 ~~location, name of the legislative body invited and total expenditures~~
28 ~~incurred shall be reported. Expenditures for special events held in~~
29 ~~conjunction with state, national or regional meetings of an organization or~~
30 ~~association concerned or dealing with legislative or other governmental~~
31 ~~activities to which all members or employees of the legislature in attendance~~
32 ~~at such event are invited shall be reported in the same manner.~~

33 ~~G.~~ F. All information required to be filed pursuant to this section
34 with the secretary of state shall be filed in that office and preserved by
35 the secretary of state for five years from the date of filing, after which
36 time the information shall be destroyed. The information is a public record
37 and open to public inspection.

38 ~~H.~~ G. If a public body or designated public lobbyist makes no
39 expenditures that it would otherwise be required to report during a specified
40 reporting period, the public body or designated public lobbyist may sign a
41 notarized form prescribed by the secretary of state indicating that there
42 were no expenditures during the specific reporting period.

1 ~~I.~~ H. A person or organization shall not make a gift to or an
2 expenditure on behalf of a member or employee of the legislature through
3 another person or organization for the purpose of disguising the identity of
4 the person making the gift or expenditure.

5 ~~J. A public body, designated public lobbyist or authorized public~~
6 ~~lobbyist or any other person acting on behalf of a public body, designated~~
7 ~~public lobbyist or authorized public lobbyist shall not give to any member of~~
8 ~~the legislature and a member of the legislature shall not accept from a~~
9 ~~public body, designated public lobbyist or authorized public lobbyist either~~
10 ~~of the following:~~

11 ~~1. Gifts with a total value of more than ten dollars during any~~
12 ~~calendar year.~~

13 ~~2. Gifts that are designed to influence the member's or employee's~~
14 ~~official conduct.~~

15 ~~K. Subsection J of this section does not apply to gifts given by a~~
16 ~~public body, designated public lobbyist or authorized public lobbyist to an~~
17 ~~employee of a public body, if the employee is not a public official or a~~
18 ~~member of the household of a public official or if the gift is accepted on~~
19 ~~behalf of the public body and remains the property of the public body.~~

20 I. A PUBLIC BODY, DESIGNATED PUBLIC LOBBYIST OR AUTHORIZED PUBLIC
21 LOBBYIST OR ANY OTHER PERSON ACTING ON BEHALF OF A PUBLIC BODY, DESIGNATED
22 PUBLIC LOBBYIST OR AUTHORIZED PUBLIC LOBBYIST SHALL NOT DIVIDE AN EXPENDITURE
23 BETWEEN TWO OR MORE PRINCIPALS, PUBLIC BODIES, LOBBYISTS, DESIGNATED PUBLIC
24 LOBBYISTS OR AUTHORIZED PUBLIC LOBBYISTS FOR THE PURPOSE OF NOT REPORTING THE
25 EXPENDITURE AS A SINGLE EXPENDITURE.